

Docket No. A2011-86

## Postal Regulatory Commission

Washington, D.C. 20268-0001

### NOTICE OF FILING UNDER 39 U.S.C. § 404(d)

TO THE UNITED STATES POSTAL SERVICE:

Please take notice that on September 23, 2011, the Commission received a petition for review and application for suspension of the Postal Service's determination to close the Redfield post office located in Redfield, New York. The petition for review was filed by the Redfield Citizens Committee (Petitioner) and is postmarked September 20, 2011.

This notice is advisory only and is being furnished so that the Postal Service may begin assembling the administrative record in advance of any formal appeal proceedings held upon the alleged (closing/consolidation) for transmittal pursuant to 39 CFR § 3001.113(a) (requiring the filing of the record within 15 days of the filing with the Commission of a petition for review). The Postal Service's administrative record is due no later than October 11, 2011.



Shoshana M. Grove  
Secretary

Date: September 27, 2011

Attachment

A2011-82

Received

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BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001  
Dated: September 20, 2011

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Redfield Citizens Committee  
and Kathleen M. Gallo, Martha A. Harvey,  
Tanya M. Yerdon, Individually

Petitioners,

Vs.

United States Postal Service,

Respondent.

POSTAL REGULATORY  
COMMISSION  
OFFICE OF THE SECRETARY  
PETITION FOR REVIEW  
OF CLOSURE AND  
APPLICATION FOR  
SUSPENSION OF  
DETERMINATION

Docket No.1378983-13437

PETITIONERS, REDFIELD CITIZENS COMMITTEE AND KATHLEEN M.  
GALLO, MARTHA A. HARVEY AND TANYA M. YERDON state:

1. Petitioner, Redfield Citizens Committee, is an unincorporated quasi governmental association of five hundred fifty individuals and twenty four businesses served by the Redfield, New York post office (13437).

2. Petitioners, Kathleen M. Gallo, Martha A. Harvey and Tanya M. Yerdon are individuals who rent personal and business post office boxes at the Redfield New York (13437) post office and thus have standing to bring this action.

3. This petition requests that the Commission set aside the determination of the United States Postal Service to close the Redfield post office (13437) and that such determination shall be suspended pending a decision of the claims set forth herein.

4. That the action by the Respondent was premeditated, arbitrarily and capriciously enacted through ignoring Title 39, Part 1, Chapter 1, Section 101 postal policy that states in sub-paragraph (b) which states in pertinent part that, "The Postal

Service shall provide a maximum degree of effective and regular postal service to rural areas, communities and small towns where post offices are not self-sustaining.” No small post office shall be closed solely for operating at a deficit. It is the specific intent of Congress that effective postal services be insured to residents of both urban and rural communities. The proposal by the Respondent to provide rural carrier service will cause substantial harm to users and to the community of Redfield, without financial benefit to the Postal Service and with significant probability of financial loss to the Respondent. The Respondent claims an additional cost of \$8,773.00 for highway contract route cost analysis , but fails to project additional mileage costs associated with the expanded route, as well as explaining the additional carbon footprint left by motorized carrier services.

5. The cost savings of closing rural post offices reflects 0.7% cost savings to the Respondent, while systematically removing an income variable of a Post Office from the equation. The most efficient mail delivery is to post office boxes. A post office box offers the most security, enables more deliveries per minute than any other form of delivery and does not increase the use of fossil fuel that the option of carrier service does. The Respondent has failed to observe procedure prior to any analysis or findings under the National Environmental Policy Act (42USC 4331 et.seq.) although the proposed undertaking alternative has possible environmental impacts that must be subject to environmental assessment.

6. The Respondent’s action to close Redfield is arbitrary and prejudicial because it was the Postal Service which failed to appoint a Postmaster to the office in a timely fashion. The Postal service listed the vacancy as a reason for closure in the final

determination to close order, which is due to its own failure, not an inadequacy of the existing office.

7. The Postal services closure of Redfield is also arbitrary and capricious because the operating survey of Redfield's activities used February 2011 (14.2 transactions), as the sole month to analyze the entire activity at Redfield. A recent survey estimates that the transactions in June showed between 25-30 transactions. Also, stamp sales alone are up \$1005.00 for the month of June 2011 over last year.

8. Suspension of the Respondent's determination is necessary because Petitioners and the general public will suffer irreparable loss if there is any disruption of postal service at the Redfield, New York (13437) post office.

WHEREFORE, Petitioners request the following relief:

- A. An Order of the Commission setting aside the decision to close and consolidate the Redfield, New York post office (13437).
- B. An Order of the Commission suspending the decision to close the Redfield, New York (13437) post office.
- C. An Order of the Commission directing the Respondent to observe all procedures required by law as outlined in this Petition and in the event of further consideration of closure, the disclosure of all documents, reports and/or other information upon which the Respondent relied in considering closure of the Redfield, New York (13437) post office.
- D. To determine the closure action to have been arbitrary and request that the Respondent's decision be reversed and remanded for further consideration or dismissed altogether in the interest of justice.

By: Elizabeth P. Brown

Kathleen M. Gallo

Kathleen M. Gallo

Martha A. Harvey  
Martha A. Harvey

Martha A. Harvey

Tanya M. Yerdon

Tanya M. Yerdon

STATE OF NEW YORK)  
COUNTY OF OSWEGO)

Kathleen M. Gallo

Kathleen M. Gallo

Martha A. Harvey

Martha A. Harvey

Tanya M. Yerdon

Tanya M. Yerdon

Susan C. Hough  
Notary Public

**Notary Public**

